

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JACOB EARL MURPHY,

*Plaintiff,*

v.

DIRECTOR, TDCJ-CID,

*Defendant.*

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Civil Action No. 3:23-CV-0054-X-BT

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE  
JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. [Doc. 10]. The Magistrate Judge concluded that Jacob Murphy's application to proceed *in forma pauperis* should be denied because Murphy had sufficient funds in his inmate trust account to afford the \$5.00 filing fee and that his complaint should be dismissed without prejudice for failure to pay the filing fee. Murphy filed three documents purporting to respond to that recommendation. [Doc. 13, 14, 15]. Murphy asserts two primary responses.

First, he appears to order his own release from custody.<sup>1</sup> That's not how it works. Second, he says that he has a security account valued at \$31,300,000,000.

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<sup>1</sup> See, e.g., Doc. 13 at 5 (ordering that the "Director-TDCJ is to be incarcerated until the [] responsible Board Member can obey our courts [*sic*] order to release him pending his recently filed habeas petition"). Even if this is merely a proposed order or a quote from another case, it's still irrelevant to the instant motion.

Assuming, *arguendo*, that that's true, Murphy's purported prosperity supports the Magistrate Judge's conclusion that he has enough money to pay the filing fee.

Accordingly, the Court reviewed *de novo* those portions of the proposed findings, conclusions, and recommendation to which objection was made, and reviewed the remaining proposed findings, conclusions, and recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge [Doc. 10] and **DENIES** Murphy's motion for leave to proceed *in forma pauperis* [Doc. 7]. The Court **DISMISSES WITHOUT PREJUDICE** Jacob Murphy's complaint for failure to pay the filing fee.

**IT IS SO ORDERED** this 22nd day of March, 2023.

A handwritten signature in black ink, appearing to read "Brantley Starr", is written over a horizontal line.

BRANTLEY STARR  
UNITED STATES DISTRICT JUDGE